

Research and Special Programs Admin., DOT

§ 171.10

to or by the lessee, and where the lessor otherwise exercises no control over or responsibility for the trackage or the cars on the trackage.

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Secretary means the Secretary of Transportation.

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Storage incidental to movement means storage of a transport vehicle, freight container, or package containing a hazardous material by any person between the time that a carrier takes physical possession of the hazardous material for the purpose of transporting it until the package containing the hazardous material is physically delivered to the destination indicated on a shipping document, package marking, or other medium, or, in the case of a private motor carrier, between the time that a motor vehicle driver takes physical possession of the hazardous material for the purpose of transporting it until the driver relinquishes possession of the hazardous material at its intended destination and is no longer responsible for performing functions subject to the HMR with respect to that particular package. *Storage incidental to movement* includes rail cars containing hazardous materials, even if they have been delivered to the destination indicated on the shipping document, except those stored on private track.

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Transloading means the transfer of a hazardous material at an intermodal transfer facility from one bulk packaging to another for purposes of continuing the movement of the hazardous material in commerce.

Transportation or *transport* means the movement of property and loading, unloading, or storage incidental to that movement.

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Unloading incidental to movement means removing a packaged or containerized hazardous material from a transport vehicle, aircraft, or vessel or, for a bulk packaging, emptying a hazardous material from the bulk packaging after the hazardous material has been delivered to the consignee and prior to the delivering carrier's departure from the consignee's facility or premises or, in the case of a private motor carrier, while the driver of the motor vehicle from which the hazardous material is being unloaded immediately after movement is completed is present during the unloading operation. (Emptying a hazardous material from a bulk packaging while the packaging is on board a vessel is subject to separate regulation as

delegated at §1.46(t) of this title.) *Unloading incidental to movement* includes transloading.

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§ 171.9 Rules of construction.

(a) In this subchapter, unless the context requires otherwise:

(1) Words imparting the singular include the plural;

(2) Words imparting the plural include the singular; and

(3) Words imparting the masculine gender include the feminine;

(b) In this subchapter, the word: (1) "Shall" is used in an imperative sense;

(2) "Must" is used in an imperative sense;

(3) "Should" is used in a recommendatory sense;

(4) "May" is used in a permissive sense to state authority or permission to do the act described, and the words "no person may * * *" or "a person may not * * *" means that no person is required, authorized, or permitted to do the act described; and

(5) "Includes" is used as a word of inclusion not limitation.

[Amdt. 171-32, 41 FR 15996, Apr. 15, 1976, as amended by Amdt. 171-32A, 41 FR 40630, Sept. 20, 1976; Amdt. 171-121, 58 FR 51528, Oct. 1, 1993]

§ 171.10 Units of measure.

(a) *General.* To ensure compatibility with international transportation standards, most units of measure in this subchapter are expressed using the International System of Units ("SI" or metric). Where SI units appear, they are the regulatory standard. U.S. standard or customary units, which appear in parentheses following the SI units, are for information only and are not intended to be the regulatory standard.

(b) Abbreviations for SI units of measure generally used throughout this subchapter are as shown in paragraph (c) of this section. Customary units shown throughout this subchapter are generally not abbreviated.

(c) *Conversion values.* (1) Conversion values are provided in the following table and are based on values provided in ASTM E 380, "Standard for Metric Practice".

(2) If an exact conversion is needed, the following conversion table should be used.

TABLE OF CONVERSION FACTORS FOR SI UNITS

Measurement	SI to U.S. standard	U.S. standard to SI
Activity	1 TBq=27 Ci	1 Ci=0.037 TBq
Length	1 cm=0.3937008 in	1 in=2.540000 cm
	1 m=3.280840 ft	1 ft=0.3048000 m
Thickness	1 mm=0.03937008 in	1 in=25.40000 mm
Mass (weight)	1 kg=2.204622 lb	1 lb=0.4535924 kg
	1 g=0.03527397 oz	1 oz=28.34952 g
Pressure	1 kPa=0.1450377 psi	1 psi=6.894757 kPa
	1 Bar=100 kPa=14.504 psi	1 psi=0.06895 Bar
	1 kPa=7.5 mm Hg	
Radiation level	1 Sv/hr=100 rem/hr	1 rem/hr=0.01 Sv/hr
Volume (liquid)	1 L=0.2641720 gal	1 gal=3.785412 L
	1 mL=0.03381402 oz	1 oz=29.57353 mL
	1 m³=35.31466 ft³	1 ft³=0.02831685 m³
Density	1 kg/m³=0.06242797 lb/ft³	1 lb/ft³=16.01846 kg/m³
Force	1 Newton = 0.2248 Pound-force	1 Pound-force=4.483 N

Abbreviation for units of measure are as follows:

Unit of measure and abbreviation:

(SI): millimeter, mm; centimeter, cm; meter, m; gram, g; kilogram, kg; kiloPascal, kPa; liter, L; milliliter, mL; cubic meter, m³; Terabecquerel, TBq; Gigabecquerel, GBq; millisievert, mSv; Newton, N;
(U.S.): Inch, in; foot, ft; ounce, oz; pound, lb; psig, psi; gallon, gal; cubic feet, ft³; Curie, Ci; millicurie, mCi; millirem, mrem.

[Amdt. 171-111, 56 FR 66159, Dec. 20, 1991, as amended by Amdt. 171-136, 60 FR 49108, Sept. 21, 1995; Amdt. 171-135, 60 FR 50302, Sept. 28, 1995; 66 FR 33335, June 21, 2001; 66 FR 45378, Aug. 28, 2001; 68 FR 75740, Dec. 31, 2003]

§ 171.11 Use of ICAO Technical Instructions.

Notwithstanding the requirements of parts 172 and 173 of this subchapter, a hazardous material may be transported by aircraft, and by motor vehicle either before or after being transported by aircraft, in accordance with the ICAO Technical Instructions (IBR, see § 171.7) if the hazardous material:

(a) Is packaged, marked, labeled, classified, described and certified on a shipping paper and otherwise in a condition for shipment as required by the ICAO Technical Instructions;

(b) Is within the quantity limits prescribed for transportation by either passenger-carrying or cargo aircraft, as appropriate, as specified in the ICAO Technical Instructions;

(c) Is not a forbidden material or package according to § 173.21 of this subchapter; is not a forbidden material as designated in Column (3) of the § 172.101 Table of this subchapter; and is not forbidden by Column 9(A) of the § 172.101 Table of this subchapter when transported on passenger aircraft, or is not forbidden by Column 9(B) of the § 172.101 Table of this subchapter when transported by cargo aircraft.

(d) Fulfills the following additional requirements as applicable:

(1) For a material that meets the definition of a hazardous substance as defined in this subchapter, the shipping paper and package markings must conform to the provisions in §§ 172.203(c) and 172.324, respectively, of this subchapter.

(2) When a hazardous material, which is subject to the requirements of the ICAO Technical Instructions, is also a hazardous waste as defined in this subchapter:

(i) The word “Waste” must precede the proper shipping name on shipping papers and package markings; and

(ii) It must comply with § 172.205 with respect to the hazardous waste manifests.

(3) When a hazardous material is not subject to the requirements of the ICAO Technical Instructions, it must be transported as required by this subchapter.

(4) When a hazardous material that is regulated by this subchapter for transportation by highway is transported by motor vehicle on a public highway under the provisions of this section, the following requirements apply: